

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

MILVANA GUILLAUME, L.P.N.
License # 26NP06018000

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Milvana Guillaume ("Respondent") is a Licensed Practical Nurse (LPN) in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about July 25, 2014, the Board sent a letter to Respondent asking for documentation of nursing continuing education for the June 1, 2010 – May 31, 2012 licensing cycle.
3. Respondent indicated in response that she did not earn any continuing education credits during the June 1, 2010 – May 31, 2012 licensing cycle, and forwarded documentation of completion of 29.5 contact hours of nursing continuing education completed in August of 2014.

4. Respondent indicated on her 2012 renewal application that she would have completed all required continuing education for the June 1, 2010 – May 31, 2012 renewal period by May 31, 2012.

CONCLUSIONS OF LAW

Respondent's failure to demonstrate timely completion of nursing continuing education requirements for the June 1, 2010 – May 31, 2012 renewal period constitutes a violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her 2012 renewal application that she would complete all required continuing education for the preceding renewal period by May 31, 2012 constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand and two hundred and fifty dollar (\$250) civil penalty was entered on November 6, 2014. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline by providing payment of the civil penalty and documentation of completed continuing education. Respondent has now provided documentation of completing:

0 hours within the 6/1/10 – 5/31/12 biennial period;

0 hours within the 6/1/12 – 5/31/14 biennial period; and

64.3 hours within the 6/1/14 – 5/31/16 current biennial period.

Respondent may apply 60 of the hours recently completed to cure the deficiencies of her two previous biennial periods and avoid suspension of her license on that basis, but those same hours may not also be used to satisfy the requirements of the current biennial period. Respondent shall complete an additional 26 hours of continuing education prior to May 31, 2016 to satisfy the requirements of the current biennial period.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent cured the continuing education deficiencies of two previous biennial renewal periods, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to timely complete continuing education warrants imposition of a two hundred fifty dollar (\$250) civil penalty as well as a reprimand for certifying on her renewal application that she had completed the required continuing education when she had not done so.

ACCORDINGLY, IT IS on this 8th day of April, 2015,

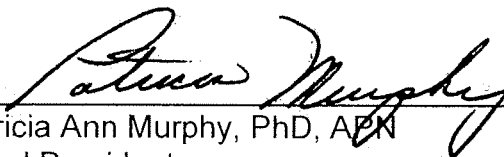
ORDERED that:

1. A reprimand is hereby imposed for Respondent's violation of N.J.S.A. 45:1-21(b).

2. A \$250.00 civil penalty is hereby imposed for the violation of N.J.A.C. 13:37-5.3. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than twenty-one (21) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law. The Board will process the money order previously provided by Respondent as payment of the within civil penalty.

3. Respondent shall complete an additional 26 hours of continuing education prior to May 31, 2016 to satisfy the requirements of the June 1, 2014 – May 31, 2016 biennial period.

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Ann Murphy, PhD, APRN
Board President